IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 2969 OF 2007

1. Smt.Firdos Shaikh Ishaque,

2. Ms.Summaiyya D/o Shaikh Ishaque,

3. Mrs.Sabeena W/o. Shaikh Sharif.... Applicant.

V/s.

State of Maharashtra. ... Respondent.

K.S.Patil i/b. S.K.Shinde
for the applicants.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 14th September 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. This application is under section 438 of Code of Criminal Procedure, 1973. The applicants are apprehending their arrest in CR.No.I/129/2007 registered with Azad Nagar Police Station, Malegaon, district- Nashik for the offences punishable under sections 498-A, 306 read with section 34 of Indian Penal Code.

3. Having seen all the three dying declarations of deceased Nilofer, it is clear that she suffered burn injuries due to accident. It is no doubt true that there are certain allegations against the sisters-in-law, however, so far as particular incident is concerned, prima-facie; it is difficult to connect them with the offence alleged. In the above view of the matter, I am inclined to grant pre-arrest bail to the applicants, subject to the following conditions:

(a) In the event of arrest of the applicants in connection with CR.No.I/129/2007 registered with Azad Nagar Police Station, Malegaon, district- Nashik they shall be released on bail of Rs.10,000/- each with one surety to make up the said amount.

(b) The applicants shall report to the concerned Police Station as when called and shall co-operate with the investigating agency.

(c) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution

evidence.

(d) This order of anticipatory bail shall operate till the filing of the chargesheet. After filing of chargesheet, it would be open for the applicant to apply for regular bail before regular court.

(e) It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

4. Application stands disposed of accordingly.

JUDGE